

MINUTES OF A COUNCIL MEETING

OCTOBER 21, 2003

The Hollywood Park City Council met in a regular session October 21, 2003 at 7:00 p.m. in Town Hall. Notice was posted in accordance with the Texas Open Meeting Laws.

Mayor Sean P. Martinez called the meeting to order with the following Council Members present: Richard McIlveen, Ellen Alkire, Wendy Taylor, Jerry Miller and W.D Scott. Also present: City Administrator, City Secretary, Acting Police Chief, Fire Chief, City Attorney and City Engineer.

INVOCATION: Councilwoman Ellen Alkire gave the invocation.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited.

PRESENTATION: Will Mangum, Chairman of the Deer Committee gave an update report on the deer control issue. The committee has met twice. The regulations from the Parks and Wildlife are still not in print but based on his conversations with Brian Richards, Wildlife Biologist for the State of Texas, he has given indications as to what those regulations would be. Based on the information the committee has started working. Mr. Mangum said that he has a person working on places for these deer to be transplanted to which is one of the options. TTT (Trap, Transport and Transplant) is the same option we had originally. The only modification that he is aware of is they have simplified the permit process. Rather than having three permits you have one permit called an event permit. Someone is working on finding ranches. Mr. Mangum said that he was on the radio and he was able to make a statement that we are looking for ranch property. He said that the second option is Trap, Transport and Process which means you trap the deer, take them out of HP, process the deer and then give the food to Hunters For Hungry to be distributed to needy people. The third option from the State is degradation and that is not a viable option. The fourth option is contraception. He said that there is no approved contraception program in the State of Texas. Mr. Mangum said that he has folks contacting people about trap sites and volunteers. Mayor Martinez said that by the next meeting we hope to have the state regulations and have the state to identify approved locations for transport of the deer.

CITIZEN PARTICIPATION:

1. Jeff Campbell, Scout Master Troop 475, said that the Boy Scouts are working on a Citizenship and Community Merit Badge and one of the requirements is to attend a local government meeting.
2. Todd Smith, 379 Donella, concerned about the traffic problem and pedestrian safety on Donella.
3. Tom Bearden, 601 El Portal, was concerned that the deer were eating his vegetation and informed the Council that residents, at two locations, on Skyforest are feeding the deer. He told the Council that he needed help.
4. Cherie Emick, 504 Skyforest, read a statement about deer contraception.

5. David Achilles, 329 Meadowbrook, asked the Council to lower the speed limit due to traffic problems.
6. Fran Blackwell, 408 Park Oak, announced that there would be a Texas Forester to answer questions concerning Oak Wilt at Hidden Forest Club House November 1st from 3-7 p.m. She reminded residents to paint the cuts on the Oak Trees and to remind Tree Trimming Companies as well.
7. Scott Book, 321 Fleetwood, was concerned about hearing that a concrete culvert will be put in next to his property as part of the drainage project.

ANNOUNCEMENTS/DEPARTMENT REPORTS/CITY ADMINISTRATOR'S REPORTS.

1. The Fire Chief gave his monthly report. Mayor Martinez said that he wants the Web Site up and running next month so that informational items can be posted on it. The Mayor went over the AMR report. The Acting Police Chief gave his monthly report. Mayor Martinez asked for a break down on the location of the violations for next month's meeting. The City Secretary gave the monthly report for the Municipal Court and Health Report.

Mayor Martinez asked the residents to let City Hall know if there are vacant properties for sale that have standing water or a pool with mosquito breeding. Councilwoman Alkire said that there is the West Nile Virus in San Antonio, on the North side, due to the mosquitoes.

The City Administrator passed out a letter from Buck Benson, Attorney, representing Sonterra. Sonterra is proposing to drill a well on City property and in return they will deed us a track of land adjacent to the Park, to later be negotiated. Mayor Martinez said that he had been out to the location and trekked through that area. The Mayor said that we have a proposal both leasing and land giving. He further said that it would enable us to extend the Park property to the bluff, adjacent to the golf course. It would enhance our Park and in exchange allow the Sonterra Golf Course to drill a well at the very corner of the Park. Councilwoman Alkire said that her concern was that if we do this swap they get to drill a water well on our property and we get some of their property, that will put us in the City of San Antonio and we would have to pay taxes. The City Administrator said that Parkland can be in other cities and we would not have to pay taxes on it.

Councilwoman Alkire said that instead of us swapping land that we charge them a fee. Mayor Martinez asked the Council to give him some feedback by e-mailing or dropping him a note.

The City Administrator thanked Mr. Mangum for his work on the deer control. He said that he has received responses in writing and by phone from residents who strongly support the deer-feeding ban.

The City Administrator said that the four-way stop signs were delivered yesterday. He said that the slab has been poured for the repeater project and they are going to start assembling the tower tomorrow.

Jim Pedraza, City Engineer gave an update on the Fleetwood Drainage Project. He said that the plans have been completed for a month and the delay has been with the utilities. Jim said that once we know a construction date and the utilities are going to lower their lines we will have a meeting with the residents. He further said that we would contact

them to discuss what their concerns are. He said that the project is for flood control and they try not to flood anyone out. Jim said that he gave a presentation to the City Council of Hill Country Village and told them what we were going to do with this project because all the water is going to go into Hill Country Village. He said that HCV did not give any opposition to the project. The City Administrator said that the holes in the street was where Bexar Met was looking for their lines and see where they were and how deep they were.

Councilwoman Taylor asked the City Administrator when the Code Enforcement Officer would start. The City Administrator said he would start in January working 20 hours a week.

The City Attorney said that Bexar Met's election is coming up with two slots open.

CLOSE THE REGULAR MEETING:

Mayor Martinez closed the Regular Meeting at 8:11 p.m.

OPEN THE PUBLIC HEARING:

Mayor Martinez opened the Public Hearing at 8:11 p.m.

1. Consider the request from Dr. Carolyn Flanary, D.D.S. to re-plat 0.60 acres that consists of two lots being re-platted into one lot. The legal description of the current property is as follows: 0.60 Acre Tract, Lots 16 and 17, Block 8, County Block 5833, recorded in Volume 9556, Pages 69-70, Fountain Oaks Professional Park, Deed and Plat Records, Bexar County, Texas.

Dr. Flanary said that this plat has previously been approved. She said that there is a Lot 1, 2, and 3 and the request is eliminate two lines in the boundary between 2 and 3 so it becomes one lot. The City Engineer said that it conforms to all of the City regulations.

Mayor Martinez said that we received three written approvals. There was no opposition from the audience to this replat.

2. Consider the request from SouthTrust Bank, 17115 San Pedro, to re-plat a 2.563 Acre Tract of land being out of Lot 1, Block 1, County Block 4971, Security National Bank-North, as recorded in Volume 9533, page 105 of the Deed and Plat Records of Bexar County, Texas within the city limits of Hollywood Park, Texas.

Trey Marsh, Pape Dawson Engineering, said that SouthTrust currently operates a drive through banking center just south of Donella that fronts Hwy. 281. He said that the 2.5-acre lot is currently platted as one lot. The banking center is a temporary building and SouthTrust would like to replace that with a permanent structure. The bank itself is about one acre and they are proposing to plat it from one lot into two lots. The second lot would be behind the bank. Trey said that what has been proposed behind it and is used, as a planning tool is a building approximately 10,000 sq. ft. Councilman Miller said that a

letter was received from the Hastings on Donella approving the replat but they commented that they didn't want any large lights shining into their back yard.

Herbert Courtney, 400 Park Oak, asked if SouthTrust will have to get approval of the size building. Mayor Martinez said yes that these are just suggestions.

Mayor Martinez asked if there was anyone else who wished to speak in reference to this proposed replat. There was none.

CLOSE THE PUBLIC HEARING:

Mayor Martinez closed the Public Hearing at 8:24 p.m.

OPEN THE REGULAR MEETING:

Mayor Martinez opened the Regular Meeting at 8:24 p.m.

CONSENT AGENDA:

Councilman McIlveen made a motion to approve the Consent Agenda in its entirety. Councilman Miller seconded the motion. Councilwoman Alkire said that she did not attend the August 19th meeting. Councilman Scott made a correction to the September 16th meeting-referencing Ordinance #765. Councilman Scott said that he had voted NAY on Ordinance #765. The Council, with Councilwoman Alkire abstaining on the August 19th meeting and with the correction on the September 16th meeting, passed the motion.

1. Minutes of a Regular Council Meeting 8/19/03.
2. Minutes of a Special Council Meeting 9/11/03.
3. Minutes of a Regular Council Meeting 9/16/03.
4. Financial Statement as of 09/30/03.

Beginning Balance	\$1,652,128.48
Total Income	142,360.17
Disbursements	(129,720.26)
Ending Balance	\$1,664,768.39

OLD BUSINESS: None

NEW BUSINESS: ACTION ITEMS

CONSIDER APPROVING THE RE-PLAT REQUEST FROM DR. CAROLYN FLANARY, D.D.S.

Councilwoman Alkire made a motion to approve the re-plat request from Dr. Carolyn Flanary, D.D.S. The motion was seconded by Councilman Scott and passed unanimously by the Council.

CONSIDER APPROVING THE RE-PLAT REQUEST FROM SOUTHTRUST BANK.

Councilwoman Taylor made a motion to approve the re-plat request from SouthTrust Bank. The motion was seconded by Councilman Miller and passed unanimously by the Council.

CONSIDER APPOINTMENT OF AN AUDITOR FOR THE TOWN OF HOLLYWOOD PARK.

Councilman Miller made a motion to appoint an auditor for the Town of Hollywood Park. Councilman Scott seconded the motion. Mayor Martinez said that we have two audit proposals. The City Administrator said that we advertised for auditors and received two proposals. He said that he had interviewed Thompson, Williams, Biediger, Kastor & Young, L.C. and Darilek, Butler & Co., P.C. He said that either one of the auditors would do a good job and we are not allowed to discuss fees tonight. After discussion, the Mayor said that we would have a special meeting to negotiate the fees.

Councilman Scott withdrew his second motion and Councilman Miller withdrew his motion. Councilman Miller made a motion to appoint Darilek, Butler & Co., P.C. as the auditor for the Town of Hollywood Park. Councilman Scott seconded the motion. The vote was: AYES: McIlveen, Miller, Scott; NAYS: Alkire, Taylor. The motion passed 3 to 2. Mayor Martinez instructed the City Administrator to set up a special meeting for pricing.

CONSIDER APPROVING FIRE LANE ORDINANCE #767.

Councilman Scott made a motion to approve Ordinance #767. Councilwoman Alkire seconded the motion. The Fire Chief said that when they go to a structure fire they need a fire lane for all the hoses. The City Administrator explained that the Police Department was going to write a ticket on parking at the red curb in commercial areas but we did not have an ordinance referencing fire lanes. The City Attorney said that the Fire Chief wanted the ordinance to use Fire Lanes instead of Fire Zones. After discussion, the Council passed the motion, with the correction Fire Zone will be replaced by Fire Lane, unanimously.

MISCELLANEOUS:

Councilman Scott said that when the Centex development called The Reserve was brought in the agreement was not to let the construction trucks use the Donella entrance. He said that it is not an ordinance but it was a gentleman's agreement. He said that the number of trucks going in and out of that area is out of hand and we have enough trouble with the speed and traffic without all of the construction trucks going in and out. He further said that there is a sign that tells them not to use the entrance and we should confront Centex and let them know that we feel they should honor their gentleman's agreement. The City Administrator said that he has contacted both of the builders and they have asked their subs not to use the entrance on Donella. Also, he has instructed the police to sit down there and watch the entrance.

TEMPORARY FENCING IN FRONT YARD RELATING TO PROTECTION OF VEGETATION FROM THE DEER.

Mayor Martinez said that he asked that this item be put on the agenda for discussion. He said that we have had requests from citizens about putting some sort of wire mesh in their front yard to exceed the two-foot limitation with the rationale to keep the deer from the vegetation. The Mayor asked the Council to think about fashioning some sort of remedy or ordinance that would allow temporary fencing for a period of time, which is set by the City Council subject to be taken down.

Councilwoman Alkire said that the feeding ban is working. She said before the ban they would get 50-60 deer in their area because people were feeding the deer. Since we have had the ban there is probably 5-8 deer at a time. She said we need to enforce the ordinance on the feeding ban.

Councilwoman Alkire said that she would like to caution people regarding their irons. Her sister-in-law was ironing and her iron caught on fire. It was plugged in and exploded from the base. She said that the iron was a Sunbeam.

ADJOURNMENT:

They're being no further business Mayor Martinez adjourned the meeting at 9:04 p.m.

**MINUTES OF THIS MEETING APPROVED AS SUBMITTED ()
CORRECTED () THIS _____ DAY OF _____, 2003.**

Mayor Sean P. Martinez

ATTEST:

Barbara M. Haddock, City Secretary